

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
SAN ANTONIO DIVISION

THE ELIJAH GROUP, INC.,	§	
PLAINTIFF,	§	
	§	
VS.	§	CIVIL ACTION NO. SA08CA0907
	§	
THE CITY OF LEON VALLEY, TEXAS,	§	
DEFENDANT.	§	

**ORDER GRANTING PLAINTIFF THE ELIJAH GROUP, INC.'S  
MOTION FOR FINAL SUMMARY JUDGMENT**

On \_\_\_\_\_, 2009, came on to be heard Plaintiff's Motion for Final Summary Judgment, and the Court, having considered the Motion, response, caselaw, pleadings, and arguments of counsel, and the Court, ruling on all legal issues before it, is of the opinion that Plaintiff's Motion for Final Summary Judgment should in all things be GRANTED.

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED that Plaintiff's Motion for Final Summary Judgment is hereby GRANTED, and

That the Court (1) enter judgment in Plaintiff's favor on all Counts of the Plaintiff's First Amended Complaint; (2) declare the zoning ordinance unconstitutional; (3) permanently enjoin Defendant from depriving the Elijah Group of any zoning application procedure for applying for and receiving a final Certificate of Occupancy to use the Property for church and religious uses as other non-religious assembly uses are allowed by the City; (4) issue an Order setting an evidentiary hearing at some time in the near future to hear proof of Plaintiff's damages and reasonable and necessary attorney fees; and (5) issue an order at that time awarding Plaintiff's costs and reasonable and necessary attorney fees.

All relief requested but not expressly granted in the Order is DENIED.

THIS IS A FINAL ORDER.

ENTERED THIS THE \_\_\_\_ DAY OF \_\_\_\_\_, 2009.

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United States District Court Judge